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14 CHURCH OF SCIENTOLOGY
15 INTERNATIONAL

16 UNITED STATES BANKRUPTCY COURT
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 In re

19 GERALD ARMSTRONG,

20 Debtor

21 CHURCH OF SCIENTOLOGY
22 INTERNATIONAL, a California not-
23 for-profit religious corporation,

24 Creditor,

25 vs.

26 GERALD ARMSTRONG,

27 Debtor.

) CASE NO. 95-10911 aj

) CHAPTER 7

) Adversary Proceeding No.
95-1164

) CHURCH OF SCIENTOLOGY
INTERNATIONAL'S MOTION FOR
PROTECTIVE ORDER AND
REQUEST FOR SANCTIONS

) [F.R.C.P. 26, 37]

) DATE: October 13, 1995

) TIME: 11:00 a.m.

) CTRM: Hon. Alan Jaroslavsky

28 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 6, 1995, at 11:00 a.m. or
as soon thereafter as may be heard, creditor Church of
Scientology International ("the Church") will and hereby does

1 move the above-entitled court, located at 99 South "E" Street,
2 Santa Rosa, California 95404-6524, for a protective order
3 striking debtor Gerald Armstrong's demand for production of
4 documents and sanctioning Armstrong pursuant to Federal Rules of
5 Civil Procedure Rules 26 and 37, in the amount of \$840.

6 As grounds for its motion, the Church states that the
7 document demand was propounded in violation of Rule 26; that
8 debtor Armstrong has refused to withdraw the demand; that the
9 documents requested are not relevant to this litigation or
10 calculated to lead to the discovery of relevant evidence; that
11 the demand was interposed for an improper purpose, is burdensome
12 and oppressive, and intended solely to harass and annoy this
13 creditor.

14 This Motion is based upon this Notice of Motion and Motion,
15 the accompanying Memorandum of Points and Authorities, and
16 declaration of Laurie J. Bartilson, the files and records in this
17 case, and such other and further evidence as may properly come
18 before this Court at the hearing of this matter.

19 Dated: September 19, 1995 Respectfully submitted,

20 Andrew H. Wilson
21 WILSON, RYAN & CAMPILONGO

22 MOXON & BARTILSON

23 By: LS/

24 Laurie J. Bartilson

25 Attorneys for Creditor
26 CHURCH OF SCIENTOLOGY INTERNATIONAL
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On September 19, 1995, I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PROTECTIVE ORDER, AND REQUEST FOR SANCTIONS on interested parties in this action,

[] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [] the original [X] true copies thereof in sealed envelopes addressed as follows:

Gerald Armstrong
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

Linda Sorensen
Feldman, Waldman & Kline
2700 Russ Bldg.
235 Montgomery St.
San Francisco, CA 94104-3160

[X] BY MAIL

[] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

1 Executed on September 19, 1995, at Los Angeles,
2 California.

3 [] **(BY PERSONAL SERVICE) I delivered such
4 envelopes by hand to the offices of the
addressees.

5 Executed on _____, at Los Angeles, California.

6 [X] (State) I declare under penalty of the laws
7 of the State of California that the above is true
and correct.

8 [] (Federal) I declare that I am employed in the
9 office of a member of the bar of this court at
whose direction the service was made.

10 Abel E. Herrera
11 Print or Type Name

Abel E. Herrera
Signature

12 * (By Mail, signature must be of person depositing
13 envelope in mail slot, box or bag)

14 ** (For personal service signature must be that of
15 messenger)